

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CLIFFORD OWENSBY,

Plaintiff,

vs.

CITY OF DAYTON, et al.,

Defendant.

)

)

)

)

)

)

)

)

)

)

)

CASE NO.: 3:21-cv-343

JUDGE: MICHAEL J. NEWMAN

MAGISTRATE JUDGE: CAROLINE H.

GENTRY

MOTION TO

WITHDRAW AS COUNSEL

NOW COME Counsel (James R. Willis, Clarissa A. Smith and Devon R. Christian) for the Plaintiff, Clifford D. Owensby, and hereby moves this Honorable Court for leave to withdraw as counsel. This motion is made in light of the fact that irreconcilable differences have arisen between counsel and client. The issues have been discussed fully between counsel and client; and it appears that we are at an insurmountable impasse. Further, lead counsel, James R. Willis's health has recently begun deteriorating in the wake of the following: a fall that has aggravated some pre-existing conditions; serious dental issues; serious decline in hearing ability (which was addressed only last week at the Cleveland Clinic); and an (as of yet) unresolved lump in his neck. As such, Counsel believes it is their ethical obligation to withdraw from the matter.

Prior to the filing of this motion, Plaintiff's counsel spoke with both Plaintiff and defense counsels. Further Plaintiff's counsel followed up via electronic mail written communication of their intent to move for leave to withdraw on July 26, 2023.

WHEREFORE, Counsel prays their Motion is granted.

Respectfully submitted,

/s/ James R. Willis

James Willis (OH - #0032463)
Clarissa Smith (OH - #0095891)
Devon Christian (NY - #5485545)
75 Erieview Plaza, Suite #108
Cleveland, Ohio 44114
Phone: (216) 523-1100
jrwillis-barrister@sbcglobal.net
clarissa.a.smithesq@gmail.com
rchristian@rchristianlaw.com
Counsel for Plaintiff

CERTIFICATE OF SERVICE

A copy of the foregoing was filed electronically on this 27th day of **July 2023**. A copy of the foregoing can be accessed through the Court's electronic docket.

/s/ James R. Willis

James Willis (OH - #0032463)
Clarissa Smith (OH - #0095891)
Devon Christian (NY - #5485545)
Counsel for Plaintiff